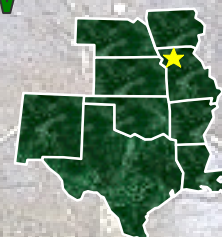


# Central Region Review



## U.S. Army Environmental Center Central Regional Office Kansas City, Missouri



★ APRIL 2000 ★

★ REGIONS VI & VII ★

*Environmental Legislative Actions, Proposed Rules, Final Rules, Emergency Rules, and Judicial Decisions  
for the States in Federal Regions VI and VII.*

### GENERAL INFORMATION

**Kansas Department of Health and Environment (KDHE) Pollution Prevention Year 2000 Awards and Recognition.** KDHE presents Pollution Prevention Awards annually to those individuals, communities or community groups, businesses and industries who have made a significant impact in protecting the environment by preventing pollution. KDHE recognizes organizations that demonstrate exceptional leadership in environmental stewardship in four categories: (1) Education/Communication, (2) New Initiatives, (3) New Technologies, and (4) Cooperative Efforts. Applications for the 2000 Pollution Prevention Awards must be received by 5:00 p.m. on 30 June 2000. For more information about the awards, please contact the Office of Planning and Prevention, KDHE, at (785) 296-0669.

**Missouri Department of Natural Resources (MDNR) Pollution Prevention Year 2000 Awards and Recognition.** Applications for the 2000 Pollution Prevention Awards will be online at MDNR's web site (<http://www.dnr.state.mo.us/homednr.htm>) in about 2-3 weeks. The deadline for turning in the applications is likely to be 17 May 2000.

### ASSISTANCE

**Annual Toxics Release Inventory (TRI) Reporting Requirements for Nitrate Compounds.** Under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA), certain facilities manufacturing, processing or using various toxic chemicals must submit reports to the U.S. Environmental Protection Agency (U.S. EPA) and a state-designated agency on or before 1 July each year. Reporting requirements also apply to facilities that generate water dissolvable nitrate compounds as by-products during wastewater treatment processes. Many facilities reporting chemicals such as ammonia, sodium nitrate and nitric acid may also have

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reporting obligations for nitrate compounds. Companies that fail to fully report nitrate compounds risk enforcement actions and penalties of up to \$27,500 per day. A facility must report to the TRI if it meets all three of the following criteria: (1) the facility is classified in Standard Industrial Classification Codes including 4953 (treatment, storage and disposal facilities, limited to facilities regulated under Subtitle C of the Resource Conservation and Recovery Act [RCRA]); (2) the facility has 10 or more full-time employees, and (3) the facility manufactures, processes or otherwise uses any TRI-listed chemicals above applicable threshold quantities. Generally, threshold quantities are 25,000 pounds for manufacturing and processing, and 10,000 pounds for otherwise use activities.

The U.S. EPA prefers that reports be submitted using the Automated TRI Reporting Software 1998 (ATRS98), which is available on the Internet at <http://www.epa.gov/opptintr/atrs/>. The Form R, Form A or the TRI diskette, along with a cover letter and an original certificate signature, should be sent to the (1) state in which the facility is located at the address listed in the Form R and Form A instructions, and (2) EPCRA Reporting Center, Attention: TRI Nitrate Coordinator, P.O. Box 3348, Merrifield, VA 22116-3348.

**U.S. EPA's New Environmentally Preferable Purchasing (EPP) Web Site.** The U.S. EPA has a new web site at <http://www.epa.gov/opptintr/epp/> that encourages thinking about environment, price and performance when making a purchasing decision. The site contains primers for purchasers and suppliers, as well as success stories. A key feature of the site is an EPP database where information on a wide variety of products can be found. Those involved in Government purchasing will also want to visit the web site of the Defense Supply Center Richmond at <http://www.dscr.dla.mil/>, which provides information on a number of initiatives.

## TRAINING INFORMATION

**Military Munitions Rule 2 (MR2) Computer-Based Training (CBT).** The MR2 CBT was scheduled for release in March 2000, but this has not yet occurred. The course is designed for U.S. Department of Defense (DoD) military and civilian personnel who work with waste military munitions (WMM). This instruction will provide advice regarding when military munitions may become waste and specific methods to conduct WMM operations that will be consistent on all military installations. Inspections, storage, transportation, production, permitting, disposal and recycling are a few examples of ammunition operations. Note that this course is only accessible in CD-ROM format, and it replaces the MR1 CBT. *To order the CBT course, please visit the Defense Ammunition Center (DAC) web site at <http://www.dac.army.mil/as/>. For additional information, please contact Gail Ruffin, DAC, at (918) 420-8818 (DSN 956), or e-mail [ruffin@dac-emh2.army.mil](mailto:ruffin@dac-emh2.army.mil).*

**KDHE Dry Cleaning Workshops.** KDHE is offering Dry Cleaning Workshops **4-5 April 2000** at the Sedgwick County Health Department in **Wichita, Kansas**. *For more information, please contact Nancy Larson, KDHE, at (316) 268-8475.*

**Safe Drinking Water Act (SDWA) Transient Non-Community Drinking Water Systems.** U.S. EPA Region X and the Bureau of Land Management National Applied Resources Science Center are offering a training course on the SDWA for federal, state and local government owners and operators of transient, non-community water supplies. The course is specifically tailored to address regulatory requirements, best management practices and common sense approaches for these small systems. The SDWA training will be presented **5-6 April 2000** at U.S. EPA's Region X Office in **Seattle, Washington**. *For more information, please contact Michele Wright at (202) 553-1747. Class size is limited, so you must pre-register.*

**Oklahoma State University (OSU) Hazardous Materials Management Certificate Program (Week Two).** This course, which is sponsored by the OSU Engineering Extension, is scheduled for **10-14 April 2000** in **Oklahoma City, Oklahoma**. Topics include (1) Recognizing and Managing Liability for Environmental Affairs, (2) Occupational Safety and Health Administration Regulations, (3) Employee and Community Right-to-Know, (4) Emergency Management and Planning Remediation and Pollution Control Technologies, (5) Tank Management, Sampling Procedures, (6) Technologies for Storage Treatment, Spill Prevention, Spill Reporting and Cleanup of Hazardous Material; (7) Waste Minimization, and (8) Environmental Audits and Certificate Review. *For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5714.*

**OSU Emergency Management and Planning Course.** This course, which is sponsored by the OSU Engineering Extension, is scheduled for **11 April 2000** in **Oklahoma City, Oklahoma**. Topics include (1) Regulatory Requirements, (2) Contingency Planning, (3) Emergency Procedures, (4) Preparedness and Prevention, and (5)

Emergency and Disaster Control Plan. For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5714.

**Louisiana Department of Environmental Quality (LDEQ) Smoke School.** LDEQ is offering a Visible Emissions Workshop for EPA Reference Method 9 for determining the opacity of smoke, dust, and other particulate matter from an emissions source such as a smoke stack. The workshop is commonly referred to as Smoke School. The workshop is scheduled for **11 April 2000** in **Baton Rouge, Louisiana**. A two-day Visible Emissions Evaluation training course will be offered **12-13 April 2000** in **Baton Rouge, Louisiana**, for certification of LDEQ and industrial personnel. Information about the school and registration forms can be obtained at <http://www.deq.state.la.us/surveillance/smokeschool/index.htm>. For assistance, please contact George Whitlow at [george\\_w@deg.state.la.us](mailto:george_w@deg.state.la.us).

**OSU Tank Management Course.** This course, sponsored by the OSU Engineering Extension, is scheduled for **12 April 2000** in **Oklahoma City, Oklahoma**. Topics include (1) Regulations, (2) Hazardous Waste Tank Storage, (3) Notification Summary, (4) Standards for New Operating Systems and Abandoned Tanks, (5) Leak Monitoring Detection, (6) Sampling Media and Methodology, (7) Sampling Equipment, (8) Hazardous Waste Sampling Plans and Procedures, (9) Sampling Methods, (10) Field Log Books, and (11) Shipping Procedures for Samples. For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5714.

**OSU Sampling Procedures Course.** This course, sponsored by the OSU Engineering Extension, is scheduled for **12 April 2000** in **Oklahoma City, Oklahoma**. Topics include (1) Sampling Media and Methodology, (2) Sampling Equipment, (3) Sampling Plans and Procedures, (4) Field Log Books, and (5) Shipping Procedures for Samples. For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5714.

**OSU Technologies for Storage, Treatment, Spill Prevention, Spill Reporting and Cleanup of Hazardous Materials Course.** This course, sponsored by the OSU Engineering Extension, is scheduled for **13 April 2000** in **Oklahoma City, Oklahoma**. Topics include (1) Material Storage Methods to Reduce Risk, (2) Methods of Spill Prevention and Containment, (3) Hazardous Materials Spill Cleanup, (4) Spill Reporting, (5) Workshop – Response to Chemical Spill, and (6) Workshop – Design Chemical Storage. For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5714.

**OSU Waste Minimization Course.** This course, which is sponsored by the OSU Engineering Extension, is scheduled for **13 April 2000** in **Oklahoma City, Oklahoma**. Topics include (1) Waste Minimization – Regulatory Mandates, (2) Minimum U.S. EPA Requirements for a “Program in Place,” (3) Economic Incentives for Waste Minimization, (4) Waste Minimization Techniques, (5) Determining “True Cost” of Hazardous Waste, (6) Decision Model for Effective Corporate Waste, and (7) Technologies Available for Reducing Volume of Toxicity of Hazardous Waste. For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5715.

**OSU Environmental Audits Course.** This course, sponsored by the OSU Engineering Extension, is scheduled for **14 April 2000** in **Oklahoma City, Oklahoma**. Topics include (1) Environmental Regulatory Compliance Audits, and (2) Environmental Real Estate Audits. For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5715.

**OSU Certificate Review.** This course, sponsored by the OSU Engineering Extension, is scheduled for **14 April 2000** in **Oklahoma City, Oklahoma**. This is a highly acclaimed review covering pertinent topics expected to be covered on the REM and CHMM professional exams. For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5715.

**U.S. EPA Region VI – Environmental Response Training Program (ERTP).** U.S. EPA Region VI is offering the following upcoming environmental response training courses:

- |  |                         |
|--|-------------------------|
| • Hazardous Materials Incident Response Operations | <b>17-21 April 2000</b> |
| • Sampling for Hazardous Materials                 | <b>16-18 May 2000.</b>  |

ERTP course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. To register for a class or for more information on courses offered by U.S. EPA Region VI, contact Keith Reddick, U.S. EPA Region VI, at (214) 665-8338, fax to (214) 665-7447, or e-mail [rednick.keith@epamail.epa.gov](mailto:rednick.keith@epamail.epa.gov).

**U.S. EPA Region VII – E RTP.** U.S. EPA Region VII is offering the following upcoming environmental response training courses:

- |  |                         |
|--|-------------------------|
| • Chemistry for Environmental Professionals          | <b>11-14 April 2000</b> |
| • Sampling for Hazardous Materials                   | <b>11-14 April 2000</b> |
| • Hazardous Materials Incident Response Operations   | <b>1-5 May 2000</b>     |
| • Emergency Response to Hazardous Material Incidents | <b>8-12 May 2000.</b>   |

*ERTP course information is available at U.S. EPA's Training Exchange web site at <http://www.trainex.org/>. To get a list of all training opportunities currently available through U.S. EPA Region VII, or for more information on classes, contact Evelyn Van Goethem, U.S. EPA Region VII, at (913) 551-7659, fax to (913) 551-7145, or e-mail [vangoethem.evelyn@epa.gov](mailto:vangoethem.evelyn@epa.gov). To register for a class, contact the Training Registrar at (513) 251-7776 or (513) 251-7669, fax to (513) 251-4137, or e-mail [embryk@ttnus.com](mailto:embryk@ttnus.com).*

**OSU Remediation and Pollution Control Technologies Course.** This course, sponsored by the OSU Engineering Extension, is scheduled for **20 April 2000** in **Oklahoma City, Oklahoma**. Topics include (1) Industrial Wastewater Pretreatment Techniques, (2) Municipal Water Treatment Techniques, (3) Fundamentals of Hydrology, (4) Groundwater Remediation, and (5) Soil Remediation. *For more information, please contact C. J. Behrenbrinker or George Collington at (405) 744-5715.*

**Operations and Maintenance (O&M) Management Workshop.** This workshop is presented by the U.S. Department of Energy's Federal Energy Management Program in cooperation with Pacific Northwest National Laboratory. The workshop, which will be held **25-26 April 2000** in **Boston, Massachusetts**, is designed to provide an overview of O&M technologies, practices and management programs to help attendees identify their programs' strengths and weaknesses. Workshop topics include (1) O&M Definitions, (2) Component Life-Cycles, (3) Types of Maintenance Programs (reactive, preventive, and predictive), (4) Types of Maintenance Technologies (thermography, vibration analysis, oil analysis, etc.), and (5) O&M Ideas for Savings. *For more information or to register for the O&M Management Workshop, please contact Nicole Roy at (509) 372-4368, fax to (509) 372-4990, or e-mail [femp.train@pnl.gov](mailto:femp.train@pnl.gov). Information is also available on the Internet at <http://www.pnl.gov/femp/>.*

**Oklahoma Department of Environmental Quality (ODEQ) Smoke School.** ODEQ's Air Quality Division, in conjunction with CENSARA, is offering a Visible Emissions Evaluation Training Course **25-27 April 2000** in **Tulsa, Oklahoma**. In addition to the field certifications, a classroom lecture describing visible emissions evaluation procedures will be offered. The course will meet EPA Method 9 and Method 22 training requirements. Individuals successfully qualifying at the field certification will be certified to make valid visible emissions readings. Pre-registration payments and original registration forms will be accepted by mail until 19 April 2000. *Information about the school and registration forms can be obtained at <http://www.eta-is-opacity.com/>. For further information, please contact Jeff Dye, ODEQ, Air Quality Division, at (405) 702-4100.*

**Risk Communication Workshops.** The U.S. Army Center for Health Promotion and Preventive Medicine's (CHPPM) Risk Communication program will be conducting the following risk communication workshops:

Introductory Classes

- |                            |                            |
|----------------------------|----------------------------|
| • <b>2-4 May 2000</b>      | <b>Baltimore, Maryland</b> |
| • <b>6-8 June 2000</b>     | <b>Seattle, Washington</b> |
| • <b>22-24 August 2000</b> | <b>Baltimore, Maryland</b> |

Advanced Classes

- |                           |                             |
|---------------------------|-----------------------------|
| • <b>10-13 April 2000</b> | <b>San Antonio, Texas</b>   |
| • <b>17-20 July 2000</b>  | <b>Baltimore, Maryland.</b> |

*Additional information is available on the Internet at <http://chppm-www.apgea.army.mil/hrarcp/pages/index.html>. For further information or a workshop application, please contact Laura Hoover, CHPPM, at (410) 436-7715.*

**U.S. EPA EPCRA/TRI Training.** The U.S. EPA will conduct four, one-day EPCRA/TRI training workshops during April and May 2000. These workshops are intended to assist persons preparing annual reports on release and other waste management activities as required under EPCRA Section 313 and Section 6607 of the Pollution Prevention Act. These reports must be submitted to the U.S. EPA and designated state officials on or before 1 July 2000.



The one-day workshops will be held **25 April 2000** in **Omaha, Nebraska**; **27 April 2000** in **Cedar Rapids, Iowa**; **28 April 2000** in **St. Charles, Missouri**; and **10 May 2000** in **Wichita, Kansas**. A two-day workshop will be held **11-12 May 2000** in **Kansas City, Kansas**. The workshops will include a breakout session (pre-registration is necessary) concerning Section 103(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Anyone interested in making a presentation should send a short abstract on the topic as well as a biography of yourself to James Hirtz at [hirtz.james@epa.gov](mailto:hirtz.james@epa.gov) or fax to (913) 551-7065. *Information on the workshops is available at <http://www.EPCRA-TRI.com/>. For further information, please contact Science Applications International Corporation at (703) 318-4504, or e-mail [Training@EPCRA-TRI.com](mailto:Training@EPCRA-TRI.com), or fax to (703) 318-4644.*

**DoD-State Memorandum of Agreement (DSMOA) National Workshop.** The DSMOA workshop is scheduled for **16-18 May 2000** in **San Diego, California**. This two-and-one-half day event will allow those who participate in, work with or have a general interest in the DSMOA program to receive updates, share ideas, and discuss issues. A number of breakout sessions, based largely on your input, are being designed where attendees can meet in small groups and share their views and ideas. *Information about the workshop as well as online registration will be available on the Internet in the near future. For further information, please contact Joel Peters, Tetra Tech EM Inc., at (214) 740-2032, or e-mail [petersj@ttemi.com](mailto:petersj@ttemi.com), or fax (214) 922-9715.*

**RCRA Corrective Action Workshop on Results-Based Project Management.** This workshop is offered by the U.S. EPA's Corrective Action Programs Branch, Office of Solid Waste. The goal of this workshop is to share tools and approaches focused on efficiently achieving "Environmental Indicators" and "Final Remedies" at facilities subject to RCRA Corrective Action. The Region VII Workshop will be held **13-16 June 2000** in **Kansas City, Missouri**. (The Region VI Workshop has already been held.) *The following web site describes the conference and permits on-screen registration: <http://www.correctiveactionwksp.org/>.*

**Pollution Prevention Operations and Management – Satellite Broadcast Course.** The Air Force Institute of Technology (AFIT) Civil Engineer and Services School is offering a five-day Pollution Prevention Program Operations and Management course (course # ENV 022) on **17-21 July 2000**. The course is designed to emphasize pollution prevention concepts such as source reduction of hazardous and toxic chemicals, solvent substitutions, reuses and recycling, process changes, and environmental awareness. Additionally, the course introduces management techniques that can be utilized to implement a sound pollution prevention program, including (1) establishing and running the program; (2) conducting pollution prevention opportunity assessments; (3) implementing process changes to incorporate pollution prevention; (4) assessing pollution prevention program success; and (5) establishing awareness training.

*For further information, please contact AFIT/CEA at (937) 255-2156 (DSN 786). Additional details on this course and others offered by the AFIT Civil Engineer and Services School can be obtained on the Internet at <http://cess.afit.af.mil/>. Please note that this course is only offered through satellite broadcast, and registration closes 40 days prior to the broadcast.*

## CONFERENCES AND SEMINARS

**U.S. EPA HAZMAT 2000 Spills Prevention Conference.** This U.S. EPA conference is being held at the Regal Riverfront Hotel in **St. Louis, Missouri**, on **4-6 April 2000**. The conference will offer the most up-to-date information on chemical accident prevention, counter-terrorism, special event planning, risk communication, EPCRA, integrated contingency plans, ammonia refrigeration awareness training, and Computer-Aided Management of Emergency Operations training. *For additional information, please call (703) 934-3760 or e-mail [hazmat2000@nrt.org](mailto:hazmat2000@nrt.org). More details are available on the Internet at <http://www.nrt.org/hazmat2000/>.*

**Unexploded Ordnance (UXO) Forum and Countermine Symposium and Exhibition.** The UXO Forum and the Countermine Symposium, which will examine the technologies, issues and policies surrounding the UXO and countermine arena, will be held at the Anaheim Marriott in **Anaheim, California**, on **2-4 May 2000**. Abstracts are currently being solicited on the following topics: detection, clearance, disposal, active range clearance policy and environmental security policy. *The abstract submission deadline was 14 January 2000. For additional information on the conference, please contact Jeff Purdy at (703) 704-2784, or e-mail [TheForum@nvl.army.mil](mailto:TheForum@nvl.army.mil). Details are also available on the Internet at <http://www.denix.osd.mil/TheForum/>. Finally, you can request information by sending an e-mail to [TheForum@tva.gov](mailto:TheForum@tva.gov) or by phoning 1-888-808-5303.*

**U.S. Geological Survey (USGS) DoD Environmental Conservation Conference.** The USGS is sponsoring another in its long-running series of annual conferences dealing with environmental conservation activities related to DoD installations and activities. This year's conference will be held **2-5 May 2000** in **San Diego, California**. The conference will utilize both DoD and USGS speakers to articulate the needs of DoD and to highlight the capabilities and accomplishments of the USGS across a broad range of environmental issues in military and related settings. It is a great opportunity to contact individuals that bring a wide range of innovative science to the table, and the format of the conference is designed to foster just such one-on-one interactions. *For further information, please contact William Herb, USGS Liaison to the U.S. Army Environmental Center (USAEC), at (410) 436-7096, or e-mail [william.herb@aec.apgea.army.mil](mailto:william.herb@aec.apgea.army.mil). The USGS web site is at <http://www.usgs.gov/>.*

**U.S. EPA Region VII Federal Facilities Conference 2000.** U.S. EPA Region VII will conduct an environmental conference for federal facilities in the region at the agency's office in **Kansas City, Kansas**, on **9-10 May 2000**. The theme for this conference is "Aiming for Environmental Excellence through Partnership." The program will address many topics and issues requested by military installations. During the afternoon on 10 May, there will be a DoD breakout of state Military Environmental Groups for Kansas, Missouri, and Iowa-Nebraska. *For more information, please contact Diana Jackson, Federal Facilities Coordinator, U.S. EPA Region VII, at (913) 551-7744, or e-mail [jackson.diana.@epamail.epa.gov](mailto:jackson.diana.@epamail.epa.gov).*

**2000 Real World Air Conference.** FORSCOM and the Army CHPPM are partnering to conduct the second Real World Air Conference on **15-18 May 2000** at the Sheraton Atlanta Hotel in **Atlanta, Georgia**. The conference is intended to address current air pollution issues affecting federal facilities. Potential technical session topics include pollution prevention, particulate matter (both PM10 and PM2.5), National Emission Standards for Hazardous Air Pollutants, regional pollutant transport, ozone-depleting chemicals, sampling methods, open burning/open detonation, EPCRA, air pollution health issues, legal issues, ISO 14000, and geographical information system applications. *Conference information and online registration are available on the Internet at <http://chppm-www.apgea.army.mil/air/airconf/confhome.htm>. For further information, contact Ilani Donley, Conference Coordinator, at (410) 436-8113, or e-mail [ilani.donley@apg.amedd.army.mil](mailto:ilani.donley@apg.amedd.army.mil); or contact Rochelle Williams, FORSCOM, at (404) 464-7695, or e-mail [williario@FORSCOM.army.mil](mailto:williario@FORSCOM.army.mil); or contact Sherri Hutchens, CHPPM, at (410) 436-8149, or e-mail [sherri.hutchens@apg.amedd.army.mil](mailto:sherri.hutchens@apg.amedd.army.mil).*

**Fifth Annual U.S. EPA Region VI Nonpoint Source Watershed Conference.** This conference will focus on integrating nonpoint source issues with wetlands, surface water, and groundwater and will provide ample opportunity for networking with new partners and going out into the field to see NPS issues firsthand. Registrations must be received, with payment, by April 20, 2000. *Information about the conference is available at <http://www.nmenv.state.nm.us/swqb/NPSCConference2000.html>. For more information, please contact Peter Monahan, NMED, at (505) 827-1041, or e-mail [peter\\_monahan@nmenv.state.nm.us](mailto:peter_monahan@nmenv.state.nm.us); or contact Lisa Knerr, Tetra Tech, at (703) 385-6000, ext 169, or e-mail [knerrli@tetratech-ffx.com](mailto:knerrli@tetratech-ffx.com).*

**DoD Water/Wastewater System Management Workshops.** USAEC and the Army Installation Support Center are sponsoring a workshop on water and wastewater system management. Training and instruction included in the workshop will focus on (1) use of the water and wastewater assessment protocols developed to assess the capability of the systems to meet regulatory requirements; (2) key components of cross-connection control and wellhead protection programs; and (3) use of the Model Schedule of Services designed to assist personnel at military installations. The workshop content is intended for installation personnel whose responsibilities encompass the management of water/wastewater systems, implementation of wellhead protection, and/or cross-connection control. This workshop is scheduled for two dates and locations: **24-27 May 2000** in **Atlanta, Georgia**, and **7-10 June 2000** in **Denver, Colorado**. *To register or to obtain additional information, please contact Hans Graven at (703) 643-2962, or e-mail [RAScoWS@aol.com](mailto:RAScoWS@aol.com).*

**Arkansas Recycling Coalition 10<sup>th</sup> Annual Conference and Trade Show.** This trade show is scheduled for **8-10 August 2000**. *For further information, please contact Paige Cox at (501) 399-9696.*

**Fifth Annual Joint Services Pollution Prevention & Hazardous Waste Management Conference and Exhibition.** This conference will provide an open forum for exchanging ideas, success stories, case histories and technologies related to pollution prevention and hazardous waste management. The conference facilitates government, academia and industry channels of communication for a combined effort to implement the essential pollution prevention/hazardous waste management objective by all. The Joint Services Conference is hosted by the Headquarters Air Force Center for Environmental Excellence. The conference will be held **21-24 August 2000** in **San Antonio, Texas**. *For conference information and updates, visit <http://www.p2-hwmconference.com/>.*

**KDHE's Year 2000 Environmental Conference.** This conference will be held **12-13 September 2000** at the Capitol Plaza Hotel and Expocentre in **Topeka, Kansas**. The conference will feature a keynote speaker, concurrent sessions, seminars with a focus on pollution prevention (including case studies), and regulatory changes. There will also be an exhibition. *For more information, please contact Janet Neff, Office of Planning and Prevention, KDHE, at (785) 296-0669.*

**Brownfields 2000 Conference.** The Brownfields 2000 Conference, "Research & Regionalism: Revitalizing the American Community," is co-sponsored by the U.S. EPA and will be held **11-13 October 2000** in **Atlantic City, New Jersey**. This conference will provide networking opportunities, bringing all major stakeholders in Brownfields assessment, cleanup and redevelopment together. With a research focus, the conference promotes the exchange of information, procedures and techniques related to the revitalization of Brownfield sites through its conference program and exhibits. *For more specific information about the conference and to be added to the mailing list, please visit <http://www.brownfields2000.org/> or link to the site through the U.S. EPA's web site at <http://www.epa.gov/brownfields/bfconf.htm>.*

## FEDERAL ACTIONS

### FEDERAL LEGISLATIVE INITIATIVES

**Superfund Reauthorization.** Funding issues related to Superfund reauthorization continue to be debated in congressional committees. Disagreements about Brownfields incentives, liability, and reinstatement of Superfund taxes have made it questionable whether broad reauthorization on this bill will occur during this session. *For further information, please contact Susi Ferguson, Texas Natural Resources Conservation Commission (TNRCC), at (512) 239-2320.*

**Fuel Additive Methyl Tertiary Butyl Ether (MTBE), Clean Air Act (CAA).** The Clinton administration announced major new actions on 20 March 2000 to reduce or eliminate use of the fuel additive MTBE and boost the use of safer, renewable alternatives like ethanol. The legislative framework now being sent to Congress includes the following three recommendations: (1) amend the CAA to significantly reduce or eliminate the use of MTBE in order to protect drinking water supplies, (2) as MTBE use is reduced or eliminated, ensure that air quality gains are not diminished, and (3) replace the existing oxygenate requirement in the CAA with a renewable fuel standard for all gasoline.

Senate Bill 2233 was introduced on 8 March 2000 by Senator Peter Fitzgerald (R-IL). This bill would prohibit the use of MTBE, and provide for the remediation of water contaminated by the chemical. The bill would create an MTBE research grant program within the U.S. EPA. The grants are for research on (1) the development of more cost-effective and accurate MTBE groundwater testing methods; (2) the development of more efficient and cost-effective remediation procedures for water sources contaminated with MTBE; or (3) the potential effects of MTBE on human health. For more information on this bill, go to <http://160.136.141.15/legislativeupdate/s2233.html>

### U.S. EPA FINAL RULES

**Amendments to the List of Regulated Substances and Thresholds for Accidental Release Prevention; Flammable Substances Used as Fuel or Held for Sale as Fuel at Retail Facilities (published in *Federal Register* [FR] 13 March 2000).** The U.S. EPA is modifying its chemical accident prevention regulations under CAA Section 112(r) to conform with the fuels provision of the recently enacted Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (Public Law [PL] 106-40). In accordance with the new law, the rule revises the list of flammable substances regulated under the chemical accident prevention regulations to exclude those substances when used as a fuel or held for sale as a fuel at a retail facility. Any facility with more than 10,000 pounds of a flammable substance in a process that does not use the substance as a fuel, or is not a retail facility holding the flammable substance for sale as a fuel, must be in compliance with the CAA Risk Management Program regulations and must submit a Risk Management Plan. The U.S. EPA also announced there will be no further action on the 28 May 1999 (64 FR 29171) proposal concerning flammable substances, since PL 106-40 resolved the issue addressed by the proposal. *For further information, please contact Breeda Reilly, Chemical Emergency Preparedness and Prevention Office, U.S. EPA, at (202) 260-0716.*

**Large Quantity Generators of F006 Waste (65 FR 12378, 8 March 2000).** The U.S. EPA promulgated a final rule allowing large quantity generators of F006 sludges up to 180 days to accumulate F006 waste without a

hazardous waste storage permit or interim status. Generators sending F006 more than 200 miles for metals recovery may accumulate for up to 270 days. To qualify, the generator must (1) implement pollution prevention practices that reduce the amount of any hazardous substance, pollutant or contaminant entering F006 or otherwise released into the environment prior to recycling, (2) recycle the F006 through metals recovery, (3) accumulate no more than 20,000 kilograms of F006 on site at any one time, and (4) comply with the applicable management standards.

## U.S. EPA ADVANCE NOTICE OF PROPOSED RULEMAKING

**Section 6 of the Toxic Substances Control Act (published in *Federal Register* 20 March 2000).** The U.S. EPA formally began regulatory action to eliminate or phase down MTBE. The U.S. EPA expects to issue a full proposal to ban or phase down MTBE within six months.

## U.S. FISH AND WILDLIFE SERVICE (USFWS) FINDINGS FOR PETITIONS TO LIST

**Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition to List the Black-Tailed Prairie Dog as Threatened (65 FR 5476, 4 February 2000).** USFWS announced a 12-month finding for a petition to list the black-tailed prairie dog as threatened throughout its range under the Endangered Species Act. The agency determined that listing this species is warranted but precluded by other higher priority actions to amend the Lists of Endangered and Threatened Wildlife and Plants. The black-tailed prairie dog will be added to the candidate species list.

According to USAEC/ERC, this listing may affect many installations. In Kansas, this prairie dog is scattered throughout the western two-thirds of the state – Nickell Barracks (ARNG) may be affected; in Nebraska, this prairie dog is scattered west of the 99<sup>th</sup> meridian, where all of the following installations are located: Cornhusker Army Ammunition Plant (AMC), Cushing (ARNG), Hastings TS (ARNG), and Stanton (ARNG); in New Mexico, this prairie dog occurs in remnant populations east of the Pecos River – Melrose Bombing Rg (ARNG), Las Vegas Armory/TS, and Carlsbad TS (ARNG) may be affected; in Oklahoma, this prairie dog occurs primarily in the panhandle, although there are scattered remnant populations in the western half of the state – Ft. Sill (TRADOC) could have a remnant population; in Texas, this prairie dog occurs primarily in the western portion of the panhandle – Camp Bowie TS (ARNG), Camp Barkley (ARNG), and Camp Wolters (ARNG) may be affected. *For further information, please contact Pete Gober at (605) 224-8693, ext. 24.*

**Endangered and Threatened Wildlife and Plants; Notice of 90-Day Finding for a Petition to List the Yellow-Billed Cuckoo as Endangered and Commencement of a Status Review (65 FR 8104, 17 February 2000).** The USFWS announced a 90-day finding on a petition to list the yellow-billed cuckoo as endangered, with critical habitat, pursuant to the Endangered Species Act. The Agency found that the petition represents substantial scientific or commercial information to indicate that the listing may be warranted. Therefore, the Agency is initiating a status review to determine if the petition action is warranted. USFWS is soliciting information and data regarding this species. Information and comments must be received by 17 April 2000.

According to USAEC/ERC, currently the only known populations are in California, Arizona and western New Mexico. Installations in the latter state that may be affected are Camel Tracks (ARNG) and Santa Fe/AASF (ARNG). *For more information, please contact Karen Miller at (916) 414-6600.*

## DoD/U.S. EPA GUIDANCE

**Interim Final Management Principles for Implementing Response Actions at Closed, Transferring, and Transferred Ranges Report.** After months of discussions on specific UXO policy and technical issues, the DoD and U.S. EPA have completed the *Interim Final Management Principles for Implementing Response Actions at Closed, Transferring, and Transferred Ranges Report*. The principles provide interim guidance for on-going response actions and will be in effect until the final version of the Range Rule is promulgated later in the year. The principles set forth areas of DoD and U.S. EPA agreement in the following important areas: (1) response activities under CERCLA, (2) characterization and remedy selection, (3) UXO technology, (4) land use controls, (5) public involvement, (6) enforcement, (7) federal-to-federal transfers of property containing UXO, (8) funding for characterization and response, (9) standards for depth of clearance, and (10) handling of other constituent hazards. The principles provide a common approach to address human health, environmental and explosive safety concerns at closed, transferring and transferred ranges. The DoD and U.S. EPA will finalize the document following



discussions with the states, native American tribes and other stakeholders. The agencies will distribute copies of the final principles document to their field counterparts, and to state and tribal agencies and their stakeholder organizations later this spring. *The complete text of the interim final management principles are on the DoD and U.S. EPA web sites at the following locations: <http://www.dtic.mil/envirodod/> and <http://www.epa.gov/swerffrr/>, respectively.*

## REGION VI STATE ACTIVITY

### ARKANSAS

#### *Legislative/Regulatory Activity*

#### STATE OF ARKANSAS LEGISLATIVE ACTIVITY

The next Regular Legislative session begins in January 2001, although Committees will continue to meet during the interim.

#### STATE OF ARKANSAS REGULATORY ACTIVITY

There is no significant regulatory activity to report for this period.

[NOTE: General information regarding the Arkansas Department of Environmental Quality (ADEQ) and its various programs, including access to draft and final regulations, is available on ADEQ's web site at <http://www.adeq.state.ar.us/>.]

### LOUISIANA

#### *Legislative/Regulatory Activity*

#### STATE OF LOUISIANA LEGISLATIVE ACTIVITY

Governor Mike Foster (R) called an Extraordinary Legislative session to address various pieces of his legislative agenda. The session, which began 19 March 2000, will address very little in the way of environmental initiatives. The next Regular Legislative session begins 24 April 2000.

#### STATE OF LOUISIANA PROPOSED RULES

**Air Quality (Louisiana Administrative Code [LAC] 33:III.223, LAC 33:III.1901-1935, and Chapter 19 Appendix).** The existing regulations at LAC 33:III.1901-1935 and the appendix at the end of Chapter 19 are being repealed, and the fees at LAC 33:III.223 are being amended, because the enhanced Motor Vehicle Inspection/Maintenance (I/M) Program was never implemented and was not reauthorized by the State Legislature (a condition to beginning vehicle testing). Therefore, these regulations for control of emissions from motor vehicles are moot and obsolete. A low enhanced vehicle emissions I/M program was authorized by the legislature in 1999, and the Department of Public Safety promulgated a final rule on 20 December 1999 to implement the new requirements of this program. A public hearing is scheduled for 24 April 2000, and comments must be received by 1 May 2000. A copy of the proposed rule is available at <http://www.deq.state.la.us/planning/regs/index.htm>. For further information, please contact Patsy Deaville, Regulation Development Section, LDEQ, at (225) 765-0399.

**Hazardous Waste (LAC 33:V.625, 630, 635, 660, and 717).** Federal regulations promulgated in 40 Code of Federal Regulations (CFR) on 30 November 1998 contain certain provisions which conflict with state statutes; specifically, the process to approve or deny a remedial action plan (RAP) application; the effective date of an RAP; when to begin physical construction; appeal of the decision to deny a modification or revocation; and reissuance or termination of a RAP. This proposed rule replaces the federal requirements with equivalent state requirements that comply with the state statute. The rule also removes redundant state requirements for public notices for hazardous waste activities. A public hearing is scheduled for 24 April 2000, and comments must be received no later than 4:30 p.m. on 1 May 2000. For further information, please contact Patsy Deaville, Regulation Development Section, LDEQ, at (225) 765-0399.

[NOTE: Current regulatory information from LDEQ, including notices of intent, emergency rules, and final rules, can be found on LDEQ's web site at <http://www.deq.state.la.us/>. Click on "Rules and Regulations" and "Additions to the Louisiana Register."]

STATE OF NEW MEXICO LEGISLATIVE ACTIVITY

The New Mexico Legislature convened on 18 January 2000 and adjourned 17 February 2000. A Special Legislative session will convene at the beginning of April 2000.

STATE OF NEW MEXICO PROPOSED RULE

**RCRA Adoption Packages 5, 6, 7 and 8 (20 New Mexico Administrative Code [NMAC]; published 14 February 2000).** The New Mexico Environmental Department (NMED) is proposing to adopt all hazardous waste rules published in the *Federal Register* from July 1994 to June 1998. The Department is adopting all of these packages now, in part, at the request of federal facilities in the state which want the state to adopt the munitions disposal rule contained in RCRA 7. The Department will adopt the munitions rule in its entirety. Other major amendments included in these packages are used oil rules and Land Disposal Restrictions Phase IV. NMED is also planning to exclude from its current RCRA adoptions those provisions which are solely enforced by the U.S. EPA, such as international barge shipments. This is being done at the U.S. EPA's request. A public hearing was held 14 March 2000 and the comment period has closed. Approval by the Environmental Improvement Board is anticipated by the end of April 2000, which would result in its becoming effective by the end of June 2000. *For further information, please contact Robert Dinwiddie, NMED, at (505) 827-1561, ext. 1039.*

STATE OF NEW MEXICO DISCUSSIONS

**New Source Performance Standards (20 NMAC 2.77), Emission Standards for Hazardous Air Pollutants (20 NMAC 2.78), and Maximum Achievable Control Technology Standards for Source Categories of Hazardous Air Pollutants (20 NMAC 2.82).** The 10 March 2000 agenda for the Environmental Improvement Board meeting listed as an item for discussion and/or possible action NMED's petition to amend these regulations.

**Ground Water Quality Standards.** The 14 March 2000 agenda for the Water Quality Control Commission meeting listed as an item for discussion and/or possible action NMED's update on amendments to the ground water quality standards.

**2000-2002 Draft 303(d) List.** The 14 March 2000 agenda for the Water Quality Control Commission meeting listed as an item for discussion and/or possible action the draft 303(d) list submitted to the Commission for the start of the 30-day comment period.

**Solid Waste Rules (20 NMAC 9.1).** NMED is planning to propose several changes to its solid waste rules. Among the changes being considered are less stringent requirements for composting facilities which handle only sludge and yard waste, revisions to siting standards for small landfills, and adding corporate financial tests for financial assurance. The Department expects to publish a proposal in the Summer of 2000. *For further information, please contact Butch Tyngate, NMED, at (505) 827-2775.*

[NOTE: General information regarding NMED and its various programs, including regulations and permitting, is available on NMED's web site at <http://www.nmenv.state.nm.us/frhome.html>.]

STATE OF OKLAHOMA LEGISLATIVE ACTIVITY

The Oklahoma Legislature convened on 7 February 2000 and will be in session until 26 May 2000. There is no significant legislative activity to report for this period.

STATE OF OKLAHOMA PROPOSED RULES

**Procedures of the Department of Environmental Quality; Environmental Permit Processing Times (Oklahoma Administrative Code [OAC] 252:2-15; published 15 March 2000).** This rulemaking removes

on-site sewage disposal systems, except for alternative systems, from Tier I permitting. Changes are being made to Chapter 641, Individual and Small Public On-Site Sewage Disposal Systems, to establish permits for on-site sewage disposal systems as general permits in accordance with state law. A public hearing is scheduled for 18 April 2000 before the Water Quality Management Advisory Council and comments are due by that date. A second public hearing is scheduled before the Environmental Quality Board on 20 June 2000. *For further information, please contact David Freede, ODEQ, at (405) 702-6222, or e-mail [david.freede@deqmail.state.ok.us](mailto:david.freede@deqmail.state.ok.us).*

**Air Pollution Control; Permits for Minor Facilities and Incinerators (OAC 252:100-7 and 15; published 15 March 2000).** The proposed changes to Subchapter 7 consist of adding two sections that, respectively, reference the permit by rule for volatile organic compound storage and loading facilities, and reference the permit by rule for particulate matter facilities. These section additions are not substantive. A third section being added is the proposed permit by rule for natural gas compression facilities, which contains substantive requirements. ODEQ is proposing amendments to amendments to Subchapter 17, Part 3. Section 3 would be amended to remove references to an effective date, and Section 5(3) would be deleted. A new Section 5.1, Alternative Incinerator Design Requirements, would be added to clarify that the Division Director may approve incinerator designs that do not meet the requirements specified in 252:100-17-5. A public hearing is scheduled for 19 April 2000, and written comments will be accepted until that date. A second public hearing before the Environmental Quality Board is scheduled for 20 June 2000. *For further information, please contact Joyce Sheedy (Subchapter 7) or Cheryl Bradley (Subchapter 17), ODEQ, at (405) 702-4100.*

**Chapter 100, Air Pollution Control; Subchapter 9, Excess Emission and Malfunction Reporting Requirements, Subchapter 11, Alternative Emissions Reductions Permits, and Subchapter 33, Control of Emission of Nitrogen Oxides (OAC 252:100-9, 11 and 33; published 15 March 2000).** The proposed amendments to Subchapter 9 include several substantive changes, including (1) adding definitions, (2) adding additional demonstration requirements for malfunctions and startups/shutdowns, (3) adding language regarding exemptions, (4) providing for ODEQ investigation in certain cases of excess emissions, and (5) clarifying ODEQ's authority to order corrective action or cessation of activities. The proposed amendments to Subchapter 11 will clarify and simplify the language as part of the agency re-right/de-wrong initiative. No substantive changes are being made. The proposed changes to Subchapter 33 are to primarily simplify and clarify requirements and to remove redundant requirements as part of the agency re-right/de-wrong initiative. Additional revisions being considered that may be substantive in nature include (1) clarifying whether the rule applies to municipal waste incinerators subject to Subchapter 17, (2) clarifying or deleting the term "two-hour maximum" in 252:100-33-2, and (3) exemption of sources subject to as-stringent federal nitrogen oxide standards.

A public hearing is scheduled for 19 April 2000, and written comments will be accepted until that date. A second public hearing before the Environmental Quality Board is scheduled for 20 June 2000. *For further information, please contact Jeanette Buttram (Subchapter 9), Michelle Martinez (Subchapter 11), or Joyce Sheedy (Subchapter 33), ODEQ, at (405) 702-4100.*

**Chapter 510, Municipal Solid Waste Landfills (OAC 510; published 15 March 2000).** The revisions to Chapter 510 are the result of ODEQ's re-right/de-wrong process to eliminate unneeded or outdated rules, to implement new rules based on statutory requirements, and to make other minor modifications for clarification and standardization. A public hearing before the Solid Waste Management Advisory Council is scheduled for 13 April 2000, and comments are due by 5 April 2000. A second public hearing is scheduled before the Environmental Quality Board for 20 June 2000. *For further information, please contact Jon Roberts, ODEQ, at (405) 702-5100, or e-mail [jon.roberts@deqmail.state.ok.us](mailto:jon.roberts@deqmail.state.ok.us).*

**Chapter 520, Solid Waste Management (OAC 520; published 15 March 2000).** The revisions to Chapter 520 are the result of ODEQ's re-right/de-wrong process to eliminate unneeded or outdated rules, to implement new rules based on statutory requirements, and to make other minor modifications for clarification and standardization. A public hearing is scheduled before the Solid Waste Management Advisory Council for 13 April 2000, and comments are due by 5 April 2000. A second public hearing before the Environmental Quality Board is scheduled for 20 June 2000. *For further information, please contact Jon Roberts, ODEQ, at (405) 702-5100, or e-mail [jon.roberts@deqmail.state.ok.us](mailto:jon.roberts@deqmail.state.ok.us).*

**General Water Quality (OAC 610 and 611; published 15 March 2000).** This rulemaking is part of the re-right/de-wrong process to remove unenforceable rules and simplify existing language. Since many changes were necessary, Chapter 610 is being revoked and replaced by a new Chapter 611, General Water Quality. A public hearing before the Water Quality Management Advisory Council is scheduled for 18 April 2000, and comments are

due by that date. A second public hearing before the Environmental Quality Board is scheduled for 20 June 2000. For further information, please contact Shellie Chard, ODEQ, at (405) 702-8100, or e-mail [shellie.chard@degmail.state.ok.us](mailto:shellie.chard@degmail.state.ok.us).

**Non-Industrial Impoundments and Land Application (OAC 252:620 and 621).** This rulemaking is part of the re-right/de-wrong process to remove unenforceable rules and simplify existing language. Since many changes were necessary, Chapter 620, Non-Industrial Impoundments, is being revoked and replaced by a new Chapter 621, Non-Industrial Impoundments and Land Application. As part of the simplification process, the applicable rules to non-industrial land application were moved from OAC 252:647 to OAC 252:620. A public hearing before the Water Quality Management Advisory Council is scheduled for 18 April 2000, and comments will be accepted until that date. A second public hearing before the Environmental Quality Board is scheduled for 20 June 2000. For more information, please contact Shellie Chard, ODEQ, at (405) 702-8100, or e-mail [shellie.chard@degmail.state.ok.us](mailto:shellie.chard@degmail.state.ok.us).

**Individual and Small Public On-Site Sewage Disposal Systems; General Provisions, Percolation Tests and Soil Profiles, Aerobic Systems, Lagoons, Alternative Systems, Voluntary Certification for Individual Sewage Disposal System Installers, Appendices (OAC 252:641-1, 3, 13, 15, 17, and 21, and Appendices E-G, and K; published 15 March 2000).** This rulemaking establishes permits for on-site sewage disposal systems as general permits, except for alternative systems, which will be under Tier I permitting. A public hearing before the Water Quality Management Advisory Council is scheduled for 18 April 2000, and comments are due by that date. A second public hearing before the Environmental Quality Board is scheduled for 20 June 2000. For further information, please contact David Freede, ODEQ, at (405) 702-6222, or e-mail [david.freede@degmail.state.ok.us](mailto:david.freede@degmail.state.ok.us).

**Land Application of Biosolids (OAC 252:647 and 648).** Proposed changes include the revocation of OAC 252:647 and replacement with OAC 252:648. This rulemaking is in conjunction with ODEQ's continuing re-right/de-wrong process, including the removal of rules no longer necessary, simplifying the language and correcting typographical errors. A public hearing before the Water Quality Management Advisory Council is scheduled for 18 April 2000. For more information, please contact Shellie Chard, ODEQ, at (405) 702-8100.

**Municipal Solid Waste Landfills (OAC 525:510); and Solid Waste Management (OAC 525:520).** Modifications proposed for these chapters are the result of ODEQ's re-right/de-wrong process to eliminate unneeded or outdated rules, to implement new rules based on statutory requirements, and to make other minor modifications for clarification and standardization. A public hearing before the Solid Waste Management Advisory Council is scheduled for 13 April 2000. For more information, please contact Jon Roberts, ODEQ, at (405) 702-5100.

[NOTE: General information regarding ODEQ and its various programs, including access to rules and regulations, is available on ODEQ's web site at <http://www.deq.state.ok.us/>.]

## TEXAS

## Legislative/Regulatory Activity

### STATE OF TEXAS LEGISLATIVE ACTIVITY

The next Regular Legislative session begins in January 2001. The Legislature will treat 2000 as an interim session and will meet in Committees to discuss various issues.

### STATE OF TEXAS PROPOSED RULES

**New Upsets Reporting Requirements (30 Texas Administrative Code [TAC] 101; published 28 January 2000).** TNRCC is proposing a rulemaking that will contain new requirements for submitting records of upsets and specify conditions under which an upset would be considered unavoidable. The amendments will require the reporting of all excess emissions from upsets. Currently, only upsets that exceed a threshold amount ("reportable quantity") must be reported. For further information, please contact Beecher Cameron, TNRCC, at (512) 239-1495.

**Counsel Comment:** The comment period for this proposal closed 2 March 2000. The U.S. EPA advised TNRCC of the U.S. EPA's position that the phrase "reasonably unavoidable" found in the current regulation was too vague; therefore, the U.S. EPA required these proposed amendments. The language of this proposal "tracks" the language of U.S. EPA internal policy on this subject. Industry in Texas strongly opposes the proposed new language and has



filed many comments with TNRCC stating their opposition. TNRCC will be making a decision on how to proceed, if at all, on this new language within the next 30 days.

**Compliance Assurance Monitoring (CAM) (30 TAC 122; published 10 March 2000).** This rulemaking will provide TNRCC with the regulatory structure necessary to implement CAM into federal operating permits, in addition to creating a streamlined implementation option for sources subject to CAM and/or periodic monitoring. The streamlined implementation option will be based on the use of general operating permits (GOPs) to establish CAM options for sources subject to 40 CFR Part 64. These sources will have all their applicable requirements other than CAM codified in either a site operating permit or an authorization to operate under a traditional GOP. Similar procedures to allow the implementation of periodic monitoring through the use of GOPs will also be established in this rulemaking. The proposal would also incorporate the most recent promulgations of 40 CFR Parts 72, 74 and 76 concerning acid rain requirements. A public hearing is scheduled for 13 April 2000. Comments must be received by 5:00 p.m. that day. *For further information, please contact Beecher Cameron, Policy and Regulations Division, TNRCC, at (512) 239-1495, or fax to (512) 239-4808, or e-mail [becamero@tnrcc.state.tx.us](mailto:becamero@tnrcc.state.tx.us).*

**Quadrennial Review of Chapter 343, Oil and Hazardous Substances (30 TAC 343).** This rulemaking consists of a quadrennial review of Chapter 343. Adoption will be by August 2000. *For more information, please contact Hector Mendieta, TNRCC, at (512) 239-6694.*

**Quadrennial Review of Chapter 335 (30 TAC 335).** TNRCC will conduct a quadrennial review of all sections of Chapter 335 to determine if the original reason for adopting the rules continue to exist. TNRCC will also determine whether portions of the chapter should be revised to clarify requirements, reflect changes to other TNRCC rules, improve compliance, and correct inconsistencies. Examples of specific proposed changes include (1) repealing Subchapter L (Control of Air Pollution from Hazardous Waste or Solid Waste Management Facilities), (2) revising Subchapter A to clarify transfer facility definition and requirements, and (3) other changes to ensure the consistency of certain requirements within the chapter. The proposed rule was to be published in the *Texas Register* on or about 24 March 2000, and comments are due by 24 April 2000. No public hearing is scheduled.

## STATE OF TEXAS DISCUSSIONS

**Surface Water Treatment Rule (30 TAC 290).** The Public Drinking Water Section has made a draft of the Surface Water Treatment rule that will improve drinking water quality by reducing the level of Cryptosporidium and disinfectant by-products in the water. The rule implements the federal Interim Enhanced Surface Water Treatment Rule and the Stage 1 Disinfectants and Disinfection By-products Rule. The rule is scheduled for proposal at the 5 April 2000 agenda. The proposed rule is expected to be published in the *Texas Register* on or about 14 April 2000 for public comment. *The text of the draft rule is available at <http://www.tnrcc.state.tx.us/water/wu/mon/290draft.pdf>.*

## STATE OF TEXAS GUIDANCE

**An Introduction to the Texas Risk Reduction Program (February 2000).** This overview is the first in a series of publications on the 1999 rules for a wide variety of site cleanups. It identifies topics to be covered in the rest of the series. *To order this publication, visit <http://www.tnrcc.state.tx.us/admin/topdoc/february2000.html>.*

[NOTE: Current TNRCC regulatory information, including proposals, adoptions, and a rules tracking log, is available on TNRCC's web site at <http://www.tnrcc.state.tx.us/>.]

## REGION VII STATE ACTIVITY

### IOWA

### *Legislative/Regulatory Activity*

## STATE OF IOWA LEGISLATIVE ACTIVITY

The Iowa Legislature convened 10 January 2000 and is expected to adjourn 18 April 2000. There is no significant legislative activity to report for this period.

## STATE OF IOWA DISCUSSIONS

**Review of Title V Fee Structure.** The Iowa Department of Natural Resources (IDNR) will conduct a review of its Title V fee structure in the year 2000. The Department will investigate whether the current fee structure of basing Title V fees on \$/ton of actual emissions is fair and reasonable, or whether another fee structure would be better. For more information, please contact Corey McCoid, IDNR, at (515) 281-4801.

Counsel Comment: In response to complaints from business groups about the "equitableness" of the fee structure, IDNR began conducting a review of that structure in March 2000. The review should be completed in 3 to 6 months, so that results of the review can be incorporated and effective for the next fee billing cycle (summer 2001).

[NOTE: General information regarding the IDNR and its various programs, including a status report on proposed rules, draft rules, adopted rules awaiting publication, and recently adopted rules, is available on IDNR's web site at <http://www.state.ia.us/government/dnr/index.html>.]

## KANSAS

### Legislative/Regulatory Activity

#### STATE OF KANSAS LEGISLATIVE ACTIVITY

The Kansas Legislature convened on 10 January 2000 and will adjourn on 8 April 2000. There is no significant legislative activity to report for this period.

#### STATE OF KANSAS EXECUTIVE ORDER

**Executive Order 00-3 (published 24 February 2000).** Kansas Governor Bill Graves (R) is calling for all agencies to review their existing rules for the purpose of identifying and then modifying or eliminating all regulations that are outdated, duplicative, overbroad, irrelevant, or otherwise undesirable. Each agency must develop a written Plan for Regulatory Review. Each agency must submit a report to the Governor by 1 September 2000 outlining recommendations, when rules will be reviewed, and a means of public participation. This order was issued 11 February 2000 effective immediately.

#### STATE OF KANSAS REGULATORY ACTIVITY

There is no significant regulatory activity to report for this period.

#### STATE OF KANSAS ASSISTANCE

**Kansas Local Government Water Quality Planning and Management Guide.** This two-volume guide consisting of the *Decision Maker's Guide* and the *Technical Resource Manual* is intended to assist community leaders develop effective water quality protection plans which assure sustainable local water resources as well as complement river basin and statewide water quality protection activities. The guide is posted on the K-State Research and Extension web site at <http://www.oznet.ksu.edu/>.

[NOTE: General information regarding KDHE and its various programs, including access to rules and regulations, is available on KDHE's web site at <http://www.kdhe.state.ks.us/>.]

## MISSOURI

### Legislative/Regulatory Activity

#### STATE OF MISSOURI LEGISLATIVE ACTIVITY

The Missouri Legislature convened on 5 January 2000 and will adjourn on 12 May 2000. There is no significant legislative activity to report for this period.

#### STATE OF MISSOURI PROPOSED RULES

**Public Drinking Water, Definitions (10 Code of State Regulations [CSR] 6-2.015).** MDNR is proposing to amend its drinking water regulations to adopt the federal Interim Enhanced Surface Water Treatment Rule and the Disinfection By-Products Rule, and the federal Interim Enhanced Surface Water Treatment Rule (published 16 December 1999 in the *Federal Register*). The rule will also add reporting and recordkeeping requirements for

disinfection byproducts and update the certification requirements for analysis of disinfection byproducts. A public hearing was held in February 2000 and the comment period has closed. *For further information, please call Jerry Lane, MDNR, at (573) 751-5331.*

**Maximum Contaminant Levels (MCLs) and Monitoring Requirements (10 CSR 6-4.010).** This proposed amendment adds sanitary survey requirements for surface water systems from the federal rule. Sanitary surveys will be performed at least every three years unless criteria for a lesser frequency are met. *For further information, please call (573) 751-5331.*

**Maximum Turbidity Contaminant Levels and Monitoring Requirements (10 CSR 6-4.050).** This proposed rule adopts the new federal turbidity and filtration requirements for surface water systems serving 10,000 persons or more. Smaller water systems are encouraged to begin striving to meet the new standards. *For further information, please call (573) 751-5331.*

**Public Drinking Water, Disinfection Requirements (10 CSR 6-4-055).** This proposed rule incorporates new federal disinfection requirements for surface water systems serving at least 10,000 people and adds maximum residual disinfection levels for chlorine, chloramines, and chlorine dioxide. *For further information, please call (573) 751-5331.*

**MCLs and Monitoring Requirements for Disinfection By-Products (10 CSR 6-4-090).** This proposed rule incorporates the new federal MCLs and compliance requirements for disinfection by-products, including removal of disinfection by-product precursors. *For further information, please call (573) 751-5331.*

**Public Drinking Water, Reporting Requirements (10 CSR 6-7.010).** This proposed rule adds reporting and recordkeeping requirements for disinfection by-products, disinfection by-product precursors, and enhanced surface water treatment. *For further information, please call (573) 751-5331.*

**Public Notice of Conditions Affecting a Public Water Supply (10 CSR 6-8.010).** This proposed rule adds public notice requirements for violations of disinfectants and disinfection by-product requirements and enhanced surface water treatment. *For further information, please call (573) 751-5331.*

**Municipal Solid Waste Landfills (10 CSR 10-5.490).** MDNR is proposing amendments to its air rules governing municipal solid waste landfill emissions that are expected to incorporate recent federal adoptions related to subpart Cc of 40 CFR Part 60, correct errors, and clarify some sections. A public hearing has been held and the comment period has closed. *For further information, please call Jim Kavanaugh, MDNR, at (573) 751-4817.*

**Restriction of Emission from Municipal Solid Waste Landfills (10 CSR 10-6.310).** MDNR is proposing amendments to its air rules governing municipal solid waste landfill emissions. The amendments are expected to incorporate recent federal adoptions related to subpart Cc of 40 CFR Part 60, correct errors, and clarify some sections. A public hearing has been held and the comment period has closed. *For further information, please call Jim Kavanaugh, MDNR, at (573) 751-4817.*

## STATE OF MISSOURI DISCUSSIONS

**Emissions Limitations and Emissions Trading of Oxides of Nitrogen (NOx) (10 CSR 10-6.350).** MDNR is drafting amendments to address issues raised in the federal NOx Transport State Implementation Plan. This rule reduces NOx emissions by establishing limitations and a state NOx trading program. The federal NOx requirements apply to the western two-thirds of Missouri, the only state west of the Mississippi River which must adopt the federal NOx rule. A public hearing is scheduled for 27 April 2000, and written comments are due 4 May 2000. *For further information, please call Jim Kavanaugh, MDNR, at (573) 751-4817.*

## STATE OF MISSOURI ASSISTANCE

**Gateway Clean Air Program (GCAP) Hotline and Web Site.** To reduce air pollution in the St. Louis region and to meet federal standards for ozone reductions, MDNR is launching a new enhanced vehicle emissions testing program - the GCAP. The goal of this program is to improve the quality of life for all St. Louis residents. GCAP covers the City of St. Louis and the counties of St. Louis, St. Charles, Jefferson, and Franklin. GCAP, slated to start in April 2000, has a new Hotline and Web site for St. Louis area motorists. The Hotline will feature automated

information and be staffed by full-time operators. For general information, call 1-888-748-1AIR. Information about the GCAP, including vehicle emissions extension stickers, general fact sheets, frequently asked questions, and other materials, are available on the official Web site for the program at <http://www.gatewaycleanair.com/>.

[NOTE: General information regarding MDNR and its various programs is available on MDNR's web site at <http://www.dnr.state.mo.us/homednr.htm>.]

## NEBRASKA

## Legislative/Regulatory Activity

### STATE OF NEBRASKA LEGISLATIVE ACTIVITY

The Nebraska Legislature convened on 5 January 2000 and is expected to adjourn on 12, 13 or 14 April 2000. There is no significant legislative activity to report for this period.

### STATE OF NEBRASKA REGULATORY ACTIVITY

There is no significant regulatory activity to report for this period.

### STATE OF NEBRASKA GUIDANCE

**Measuring and Tracking Recyclables and Organics.** Organizations can use this 1 January 2000 Nebraska Department of Environmental Quality (NDEQ) guidance document in the following ways: (1) establishing consistent methods for measuring and evaluating a program, (2) making decisions on the type and capacity of solid waste systems and facilities, (3) standardizing terminology, (4) reducing the amount of solid waste being land disposed, (5) identifying common recyclables, (6) providing standard conversion factors and worksheets for measuring recyclables and organics, (7) identifying the full cost associated with the program, (8) maintaining accurate and consistent records of the types and quantities of commodities collected, (9) measuring progress toward state waste reduction goals, and (10) marketing collected commodities. The guidance manual is available at <http://www.deq.state.ne.us/Publica.nsf/Publications?OpenView&Start=1&Count=99> (Waste heading, Guidance Documents subheading).

**Petroleum Release Remedial Action Cash Fund (Title 200 Program) – Reasonable Rate Schedule and Reimbursement Guidance Manual.** The Petroleum Release Remedial Action Cash Fund is used to reimburse responsible persons for costs incurred during NDEQ-approved increments of remediation. As directed by statute, the Environmental Quality Council has promulgated rules and regulations (Title 200, Nebraska Administrative Code) regarding the form and procedures of the application and reimbursement process. The Title 200 regulations are utilized by NDEQ to reimburse applicants for a portion of their eligible and reasonable expenses incurred during a remedial action. This guidance manual was effective 1 March 2000. The guidance manual is available at <http://www.deq.state.ne.us/Publica.nsf/Publications?OpenView&Start=1&Count=99> (Water Quality heading, Guidance Documents subheading).

**Nebraska Recycling Resource Directory 1999-2000.** This directory, published by NDEQ, was developed to assist Nebraskans with their recycling and integrated waste management needs. To obtain a copy, please contact the Customer and Technical Assistance Division at (402) 471-6974.

[NOTE: General information regarding NDEQ and its various programs, including access to rules and regulations, is available on NDEQ's web site at <http://www.deq.state.ne.us/>.]

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*The Central Region Review is prepared by Diane Faile, Versar, Inc., in support of the CREO, to assist you in your compliance efforts. Questions regarding this document should be directed to Mr. Bart Ives, Army Region VI REC, at (816) 983-3450; or Mr. Steve Scanlon, Army Region VII REC, at (816) 983-3445. Both can be reached by fax at (816) 426-7414. Legal questions should be directed to Mr. G.T. Zolyak, Regional Counsel, at (410) 436-1275 or fax at (410) 436-1670. Current and past issues of CREO regulatory updates are available on the Internet at [<http://aec.army.mil>] under "Regional Offices."*



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